THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO: 9192 of 2004

Dt.19-09-2005

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Between:

C. Laxmamma W/o late C. Narsimha.

…Petitioner

and

1. State of A.P. represented by Station House Officer,

Gandhi Nagar Police Station, and 5 others.

…Respondents

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO: 9192 of 2004

ORDER: -

This writ petition is filed seeking *mandamus* compelling the respondents 1 to 3 to initiate expeditious action against the respondents 4 to 6 in the feasible time fixed by the Court and to consequently direct the first respondent to

protect the life and liberty of the petitioner from the respondents 4 to 6 as they locked away the petitioner's house bearing Municipal No.111.

2. Heard learned Counsel for the parties and perused the material on record.

3. The case of the petitioner as set out in the affidavit filed in support of the writ petition is that her husband was assigned a house site bearing Municipal No.114 in S.No.45/1 to an extent of 66 square yards in Cha Cha Nehru Nagar, Bholakpur, Hyderabad, that her husband passed away in the year 1991 and as such she temporarily shifted her residence to her sons place at Balanagar, that taking advantage of the same the respondents 4 to 6 criminally trespassed into her premises by breaking open the locks, that thereupon she filed W.P.No.19604 of 1998 and the same was disposed of with a direction to the respondents therein to consider and pass appropriate orders on the application of the petitioner in accordance with law expeditiously, that as a result of the said order, the second respondent issued a duplicate patta certificate acknowledging her right over such right property, and that the main grievance of the petitioner is that in spite of her requests and lodging complaint with the police, possession of the property was not delivered to her.

4. A proper decision has to be taken with regard to the delivery of possession of the property to the petitioner by the respondents 1 to 3 in accordance with law. But, no representation was given to the respondents 1 to 3 even according to the allegations in the affidavit, and so also no copy of representation is filed along with the writ petition. Having regard to these circumstances, this Court is of the view that the writ petition is devoid of merits.

5. The writ petition is accordingly dismissed at the stage of admission itself.
However, it is made clear that this dismissal does not preclude the petitioner in giving a proper application to the respondents 1 to 3, to redress her grievance.

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JUSTICE K. C. BHANU

Dt.19-09-2005

GLV